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TECHNOLOGY CENTER 2800

Application /Control Number 09/752,323
Art Unit: 2878

In the claims:

Please cancel claim 5 and substitute amended claims 4 and 6 as follows:

4. (Amended). [An open system of identifying and recording details of an intellectual property comprising bar coded data, primarily for the purpose of facilitating financial compensation to intellectual property creators and managers, and not to prevent reproduction] A system comprised partly of apparatus and partly of a negotiated series of tolling protocols that allows intellectual property to be identified by means of machine-readable indicia such as bar coding, and then permits auditing of mechanical reproduction of any and all such property, such property being of either a confidential or non-confidential nature, and such mechanical reproduction being conducted on an open access or unhindered basis, for the purpose of facilitating financial compensation to intellectual property owners and managers.

6. (Amended). An intellectual property identification and recording system substantially, [as herein described with reference to the accompanying drawings] based on free and unrestricted access to reproduction of intellectual property, allowing for the specific registration of unique items of intellectual property, such registration being an aid to the auditing of mechanical reproduction of such property, and such auditing in turn creating a basis for financially compensating the creators of such intellectual property.

Please cancel claims 1-3.

Please rewrite the abstract as follows:

An intellectual property identification and recording system can be used to monitor reproduction of material and to charge a fee for such reproduction. Such a system is not mechanical and active, designed to prohibit, discourage or restrict access to reproduction, but is in fact passive and is dependent upon mechanical systems linked to systems of human-institutional agreements and procedures. Printed material such as pages from a book or serial, or a work of art, can be identified by indicia such as a machine readable bar code inserted into the material. Reading or scanning devices placed in photocopiers or other machinery of reproduction can recognize such data, and such data can then be recorded as a basis for audit. Such data can then be used as a basis for calculating a fee or payment to creators and/or copyright holders of intellectual property whose property is reproduced. Such fees or payments would be the product of arrangements negotiated between stakeholders in the total process.

(Signed)



Baden Eunson